## FIRST EDITION

CUBA.

Cespedes' Letter to the Cuban Agent in New York-Some Interesting Information from the Insurgent General.

#### Appeal of the Revolutionists-They Want Arms.

Cespedes writes as follows to the Cuban agent in New York:—

General Count Valmaseda, chief of the Spanish troops now operating in the Eastern Department being encamped with a force of more than 2000 men in the burnt city of Bayamo, recently endeavored to gain military possession of the ter-ritory occupied by the forces of the Cuban chiefs. With that object he detached a garrison of 500 men to the town of Jiguani, and another of 200

to the village of Guisa.

Thereupon the citizen General Donato del Marmol received orders to advance upon Jiguani, while the citizen General Modesto Dinz, with his forces harassed a Spanish column of one thousand men who were protecting a convey on its way from Manzanillo. This column was very successfully harassed by General Modesto Diaz.

General Marmol, fulfilling the orders of the General-in-Chief, fell upon the garrison of Jiguani, attacked them in the streets during three consecutive days, and obliged them to intrench themselves in the only public square of the town, firing upon them with two cannon the town, firing upon them with two cannons. in the meantime from a hill close by, and as-sailing them in hand-to-hand combats, he and his followers, on the very intrenchments of the

The arrival of an auxiliary force of 500 men, despatched by Valmaseda, obliged Marmol to retreat upon the hill already mentioned, whence he continued his fire until the arrival of another Spanish column, 300 strong, when, having exhansted all his ammunition, he had to retire with his troops to within a league of the town. • Generals Gomez and Figueredo (Feliz) accom-

panied General Marmol in the assault. His losses were twenty killed and wounded; those of the Spaniards two hundred. This favorable dispro-portion is to be attributed to the position selected by Marmol for his cannon, to the courage of his troops, and to the terror of the Spaniards when

ever they are attacked with the machete.

General Modesto Diaz having in compliance with orders harassed, as far as Bayamo, the column which guarded the convoy, was immediately despatched with a force of 1000 men, armed mostly with the machete, to attack the garrison of Guisa. The first encounters took place at a league from the village, and the enemy, driven into it, took refuze in the church. driven into it, took refuge in the church, in which they were kept in a state of con-finement and besieged during three days; the reinforcements despatched from Bayamo by Valmaseda to relieve them were defeated, and the enemy finally compelled to raise a flag of truce. The advantage thus obtained, however, was subsequently lost, because shortly afterwards a detachment of 500 men arrived, and, with great loss, succeeded in advancing to the village. Thereupon General Modesto Diaz had to retire, and did so with insignificant loss.

On another occasion the same General, accompanied by Generals Gomez and Aguilera, attacked a column of 800 Spaniards, on their way from Bayamo to Manzanillo, and so completely routed them that they were obliged to return to the place whence they started. The Cubans had one killed and five wounded; the losses of the enemy are unknown.

General headquarters at Santa Rita, March 12, C. M. DE CESPEDES. Want of Arms the Reason for Inaction.

We have received a copy of a manifesto signed by Donato del Marmol and Felix Figueredo, general in the insurgent army of Cuba, addressed to "The Citizen President of the Central Republican Junta of Cuba and Porto Rico;" but who that gentleman is does not appear. The following extracts contain the chief pear. The following extracts contain the chief points of the manifesto, which is dated at Camp San Ramon, District of Santiago de Cura, March 22, 1869.—The Spanish Government holds today no more ground than that trodden by its soldiery, and this is limited to the principal towns where they are now, as it were, imprisoned in their own houses. But as they neither possess the girt of persuasion nor have the power to command by force, they have converted those places into dens of tigers disguised under the shape of man; from there they come forth, when they are sure of not being attacked, to return with innocent victims and boast of imaginary triumphs.

Yet this state of things continues unchanged owing to the unfortunate circumstance that the Cuban army is unprovided with arms and necessar implements of war to attack the enemy in their strongholds, and so long as this necessity lasts the Spanish soldiers, among whom the volunteers from the Peninsula are distinguished for their brutal ferocity, will continue with impunity to augment their list of horrible assassinations, the more keenly felt because the conduct thus far observed by the republicans of Cuba is worthy of praise, since they have for their Spanish prisoners every regard that misforpoints of the manifesto, which is dated at

for their Spanish prisoners every regard that misfor-tune is entitled to, and respect the opinions of those who refuse to enlist under their banner.

who refuse to enlist under their banner.

In view of this critical situation and of the very just reasons which uphoid the right of Cubans to proclaim their independence and to resort to arms, it is time that some powerful and magnanimous nation should interpose its influence in order that the laws of civilized warfare and the precepts of humanity be substituted for those acts of vandalism which are a disgrace to those who commit them.

The undersigned, therefore, address the worthy President of the Junta Central Republicana de Cuba y Puerto Rico, in order that, straining his patriotism.

President of the Junta Central Republicana de Cuba y Puerto Rico, in order that, straining his patriotism, he may not rest until he obtains that the Government of the United States recognizes the independence of the Provisional Revolutionary Government of Cuba, and declares beliligerent rights for its liberating army. Likewise that the great American republic, in virtue of that declaration, intervenes with Spain that she may be induced to change the system of warfare adopted by her until now, to admit the exchange of prisoners and to respect peaceful Cubans who take no part in the struggle.

Probable Recognition of the Insurgents by The Washington correspondence of the N. Y.

Tribune says: Advices have been received from Cuban sources which indicate the failure of the last novement of the Spaniards under Lesca. is the third effort they have made to destroy the revolution. In several engagements in the central departments they have met severe repulses, and the patriots have captured a large number of arms, etc. There is considerable discussion here about the report that Great Britain designs reabout the report that Great Britain designs re-cognizing Cuban independence, with a view to induce the establishment of a separate republic, and thus prevent annexation. It is known that there is a considerable number of leading Cubans, especially the younger men, who favor the idea of a separate republic, and of endeavor-ing to establish a federation between Cuba, Porto Rico, and St. Domingo, with an eye to the inclusion of the English and French islands hereafter. All movements of the Spanish troops must soon terminate, owing to the rainy season.
The hardy population of the Cobias Mountains
are being organized to take advantage of this. Arms and munitions have been received by way Mexico, and more are expected.

—A Vermonter made five hundred pounds of sugar from three hundred trees last week.

ports Johnson's speech in a single word:--The Memphis Post of the 15th instant re-

#### NEW YORKISMS.

From Our Own Correspondent.

NEW YORK, April 20, 1869. In the city of New York the first of May usually commences about the twenty-fifth of April. Moving in and moving out are simultaneous. The poeuc idea of May exists no more. The cartmen and the Biddles are the only "zephyrs with Aurora playing as they meet them out a-Maying." But it is not probable that the cartmen will make more or the Biddles break more this than previous years. Indeed, there is every probability that both make and break will be less. The price of one cartiond moved for only one mile will be \$10 on the average, but then a less number of carticads will be moved. Many people who do move will move out of the city instead of over the way, and the suburbs will brim to the depletion of the metropolis. The landfords have raised their rents-of course. That was to be expected. The few who prefer submitting to the extortion of landlords rather than to the extortion of cartmen, will grumblingly pay the additional hundreds. The many who scent prosperity amid the green suburbs will witness the smashing of their crockery and furniture with dismayed eyes, and dole out the cart-hire to the cormorants of greenback with sick hearts, thinking to indemnify themselves with the rich cream and the mellow churnings of the city's outskirts, and the fresh breathings of nature's double X atmosphere to be found there. It is mainly among the middle class of houses that rents have gone up. The private dwelling which rented last year for \$900 will rent this for \$1100, and the modest little mansion tha used to be leased for \$2000 will bring in future \$2200 or \$2300. The middle-class landlord is for the most part quite invulnerable. He is not to be per suaded or appeased. After your having been his tenant for fifteen years, he will witness your depar ture with signs of elation. No arguments soften him You may move yourself and your chattels, but you cannot "move" him.

A number of benevolent ladies and gentlemen are aking a great interest in the establishment of a public washing place for poor people. Considering how hemmed in we are, hydraulically speaking, the public baths of New York are very poor indeed. Water, water everywhere, and not a drop to bathe in. The proposed plan for using the water around the Battery for bathing purposes is absurd, The flow from the sewers renders it very impure. Governor's Island would make a much better, in fact a quite unexceptionable, locality. It is surrounded by pure water, and is now altogether use less for any other purposes beyond bathing.

The Cuban affair, under the auspices of the "Junta

Patriotica," opened very brilliantly. How could it do otherwise when Oakey Hall was absent and O'Gorman took his place? The seventeen tables are presided over exclusively by brunette beauties. The American, not the English, blonde was there in full force. They sold the articles on the tables at remorseless prices. These fair charitable cheaters might almost be arraigned for obtaining money under false pretenses, for they fibbed about the market value of the various objets de vertu with spirits as light as their complexions and hearts as false as

During the recent phantom-photograph examina ion, Mumler made the plaintive remark in reply to the permission of the Judge for him to proceed in his business, that he could not proceed, as it had been ruined by his arrest. Nothing can be less true. Notoriety is the best advertisement nowadays, and people who never heard of Mumler before will now flock to his galleries and pay down the ten dollars for the privilege of possessing photographs of the dear and dead-the respective "sainted Marias" and "little Williams." Mumler is a great man. A man

only requires to be well kicked to become so. Four French grotesque male dancers, named Clodoche, Flajalet, Normande, and Comet, are to appear before very long at Niblo's. The Black Crook dence of it. The rush to all places of amusement proves that the public taste is versatile rather than depraved. The Forty Thicces and Humpty-Dumpty are not the only pieces well attended and well applanded. The receipts at Booth's are second only to those at Niblo's. What the people will not stand is mediocrity. They will rather support a good pantomime than a bad Shakespearian revival.

ALI BAKA.

## SUNDAY SCHOOLS.

The National Convention in Newark, N. J.-Reports from the Different States—Yesterday

Afternoon's Session. special Correspondence of The Evening Telegraph.

NEWARK, N. J., April 28.—This afternoon's session was one of great interest. The musical part of the exercises was conducted by John E. Gould, Esq., who had a small army of children from the "Little Wanderers' Home" in his choir. A large part of the session was spent in hearing reports from Sunday School Associations (missionary, publishing, and State), five minutes being allotted to the representative of each. Want of space forbids other than a passing allusion to this interesting feature of the convention. The remarks were intensely practical, the "spread-eagleism" so customary on some occasions being entirely left out.

The first representative from a State was a gigantic prother from Maine, whose weight must be at least three hundred pounds, and as earnest a man as he is a solid one. He reports his State as wide awake in the Sunday School cause. A number of the States have State associations, through which the work of stimulation and arousing is put forth, while others are working through the individual efforts of Christian people. Massachusetts has been at work in conventions, etc., for fifteen years; New York for twelve. In New Jersey every county is organized with a county association. Pennsylvania reports a lively association, working with a hearty activity, yet amid some discouragements. Ohio has been well organized for several years, and Indiana claims to be advancing handsomely in her work. A delegate from Texas reported a total state of devastation is the matter of juvenile education; and his remarks so thrilled the audience that a collection of \$175 was taken on the spot for the supply of books to that bookless part of the world. The most thoroughly wide-awake State in the Union is Illinois. Mr. Jacobs, of Chicago, gave a report of the work done there and the style in which it is done, which served as a stimulus to everybody present to "go and do like

and conduct them" was then discussed, Rev. Alfred Taylor, of Philadelphia, opening the discussion in an address of ten minutes, in which he gave a number of suggestions as to the practical management of the details of State and county conventions. Rev Edward Eggleston, of Chicago, followed with some eminently useful hints on the same subject, and William Reynolds, Esq., of Peorla, closed with a telling account of the convention work in Illinois, where a number of business men hold themselves in reserve to go to all parts of the State and hold such meetings. He spoke of this spirit as the secret of the success which has followed the work in Illinois. Messra Marting and Sutherland, of Toronto, and Rev. Mr. Henry, of Ireland, made short and earnest speeches of congratulation to the convention.

Telegraphic greeting was sent across the cable to the London Sunday School Union. The crowd at the evening session shows that the

house was packed to its utmost capacity. This morning there must be 1500 people here, occupying every available inch of room. Rev. H. C. Trumbul has just concluded a truly eloquent address on the blessings of the school as realized in the family. H. Thane Miller, of Cincinnati, is now speaking, and olding the earnest attention of the whole vast The great feature of to-morrow morning will be an address from Henry Ward Beecher on our Mis-

The convention may be set down as the most successful one ever held in this country, both in point of numbers and of practical interest.

# SECOND EDITION THIRD EDITION

## LATEST BY TELEGRAPH

Preparing for the Execution of Lewis Lane, the Wife Poisoner.

The African Colonizing Excitement Subsiding - The Recent Freshets.

#### Proceedings of the Washington Mutual Reform Association.

FROM PITTSBURG.

The Last Days of a Wife Poisoner-Prepare tions for His Execution Precautions Taken to Prevent His Committing Sulcide.

pecial Despatch to The Evening Telegraph. Pittsburg, April 29.—Preparations are being made this morning for the execution of Lewis Lane, the negro wife poisoner, who will be hung

He appears to have come to a realization of the dreadful fate awaiting him, but as far as can be ascertained, he has not confessed his guilt. He is attended by a Catholic priest, who remained with him a great portion of the night. The prison authorities, fearful of his committing suicide, placed him under strict surveillance during the night. He ate heartily this morning. and appears resigned,

[In another column there will be found a detailed account of an interview with the doomed man.-Ed. Eve. Telegraph.

#### FROM BALTIMORE.

The Colonization Spirit Subsiding-Minors not Allowed to Play Billiards-General Lee and the President.
Special Despatch to The Evening Telegraph.

BALTIMORE, April 29. - The colonization ship Golconda, finding a falling off of applicants to ship to and colonize in Africa, is about to make a voy age in the merchant service to Europe. The colonization spirit has greatly abated since the war, and it is feared it will entirely subside.

Both branches of City Council passed an ordinance prohibiting minors from playing billiards in public saloous, under a penalty, to the proprietors of ten and twenty dollars.

General Lee goes to Washington shortly to isit President Grant regarding Virginia recon-

#### FROM WASHINGTON.

Drepatch to the Associated Press. A Mutual Dress Reform and Equal Rights Association. Washington, April 29.—There is a Mutual

Dress Reform and Equal Rights Association now in session in this city. A number of female doctors are prominent in the movement. Mrs. Dr. Walker in a speech newspaper statement that President Grant had refused to see her unless in female dress, and said she had attended Mrs. Grant's reception, and had been received with as much courtesy as if dressed in the usual fashion-

The Post Office Department requires Patrick H. Jones, recently appointed Postmaster in New York, to give bond in the sum of \$750,000.

## Canadian Affairs.

MONTREAL, April 29 .- The river is now clear of ice between here and Quebec, and the steamers have commenced their regular trips. The water in the river fell three feet within twenty-nine

The commanding officers of the troops in Canada have been ordered to furnish rolls showing the number of passages required for the troops ordered home.

## Railroad Accident.

ALBANY, April 29 .-- A passenger train on the Rensselaer and Saratoga road ran off the track near Waterford last night, and was upset. Several persons were bruised, but none se

## Lake Navigation Open.

DUNKIRK, April 29 .- The propeller New York arrived here to-day from Toledo, with a full cargo for New York. Navigation has been free and unobstructed for the past ten days at this

## THE EUROPEAN MARKETS.

This Morning's Quotations.

LONDON, April 29—A. M.—Consols 93% for money, and 93% 693% for account. American stocks quiet.

U. S. Pive-twenties, 80%; Eric Railroad, 21%; Illinois Control 83%

Central, 983. LIVERPOOL, April 29—A. M.—Cotton is a shade firmer, but the quotations are unaltered; middling uplands, 1174d.; middling Orleans, 123, d. The sales -day are estimated at 8000 bales. Corn is declining.

This Afternoon's Quotations LONDON, April 29—P. M.—Consols 93% for both money and account. American stocks steady. United States Five-twenties unaltered; Eric Railroad, 21; Great Western, 23%.
Livkrpool, April 29—P. M.—Cotton quiet and steady. The sales are estimated at 10,000 bales; the quotations are unchanged.

HAVRE, April 29 .- The cotton market opens quiet

Markets by Telegraph.

New York, April 29.—Cotton quiet; 200 bales sold at 28%@28%c. Flour is without decided change. Wheat advanced 1@2c.; No. 2 spring \$1.45 delivered. Sales of 1200 bushels. Corn advanced 1@2c. Sales of 48,000 bushels; mixed Western \$2%@85c.; white Western, 85@88 in store and afloat. Oats quiet; sales of 12,000 bushels Western at 80c. in store, and 88246 assectates. Beef quiet; mess 188@16; extra\_168 @83c; afloat. Beef quiet; mess, \$\$\$\alpha\$ is stre, \$12 \\ \alpha\$ 18. Mess Pork \$\forall dropping; new, \$31.70; prime, \$25,75\\ \alpha\$ 27.75. Lard heavy at 18\alpha\$ 18\alpha\$ c, for steam.

\$25.75@27.75. Lard heavy at 18@18%c. for steam. Whisky dull.

New York, April 29.—Stocks firm. Gold, 134. Exchange, 9. 5-20s, 1862, 121%; do. 1864, 117%; do. 1865, 119; new, 116; 1867, 116; 10-40s, 106%; Virginia 6s, 62%; Missouri 6s, 88%; Canton Company, 64%; Cumberland preferred, 30; New York Central, 75; Reading, 96%; Hudson River, 154; Michigan Central, 127%; Michigan Southern, 110%; Hilmois Central, 143%; Cleveland and Pittsburg, 92%; Cleveland and Toledo, 161; Chicago and Rock Island, 136; Pittsburg and Fort Wayne, 137%.

BALTIMORE, April 99.—Cotton is a shade better, but not quotably higher; middling uplands, 28c, Flour active and favors buyers. Wheat steady; prime to choice red, \$1,9062. Corn firm; white, 78 (a 80c.; yellow, 84c. Oats firmer at 73@76c. for prime. Rye steady and unchanged. Pork quiet; hacon rib sides, 16%c.; clear do, 17%c.; shoulders, 14%c.; hams, 20621c. Lard, 19%c. Whisky firm but quiet at 92@95c.; some sales at 92c.

San Francisco, April 28.—Flour dull at \$4.39%@ 5-26. Good shipping wheat, \$1.50. Legal-tenders, 76. Sailed, ship General McCiellan, for Liverpool.

## WASHINGTON.

Exodus of the President's Family to Mount Vernon-The Officeseekers Enraged-Consolidation of the Army.

Sales of Government Gold.

#### FROM WASHINGTON.

Special Despatch to The Evening Telegraph.

President Grant and Family Visit Mount Version. Washington, April 29.—President Grant and family, Secretary Borie, Admiral Porter and family, and Generals Babcock and Dent, left the Navy Yard at 10 o'clock to spend aday at Mount Vernon. Great disappointment was manifested by a large number of office-seekers at the White House, who expected an interview, as to-day was set apart for their reception under the new

Army Consolidation. It appears that in the consolidation of re-

giments to twenty-five, quite a number of them are not full, hence the order to commence recruiting. Several hundred are weekly mustered out owing to expiration of service.

The Mary Powell Case. Our Government has not received any reply from the English Government respecting the latter's action in the case of the Mary Powell. The Spanish Minister here is of opinion that the matter will be satisfactorily arranged between the two Governments, and that the United States authorities will have no cause to complain. Despatch to the Associated Press.

Naval Items. Captain Robert Wyman is detached from the command of the Ticonderoga, and placed on

waiting orders. The following are also detached from the Ticonderoga and placed on waiting orders:-

Lieutenant-Commanders Augustus P. Cooke, T. Small, George H. Wadleigh, and William Whiting; Ensigns W. S. McGunnigle, Henry Hunter, and E. H. C. Lutze; Assistant Surgeon Wunderlich and Chief Engineer George T. Kutz; Ensigns W. W. Gilpatrick, and H. W. McKee, detached from the Ticonderoga, are ordered to Washington for examination for promotion. Captain John C. Estiger is detached from the

Shenandoah and is walting orders.
Lieutenant Commanders Smith W. Nichols,
T. A. McCarty, and Charle S. Cotton; Surgeon
A. C. Rhoades, Chief Engineer R. M. Berstleman, are detached from the Shenandoah, and are

Acting Assistant Paymaster C. M. Guild is de-tached from the Shenaudoah, and is ordered to render his accounts for settlement, at the expira-tion of which time he is regarded as mustered

out of service. Commander C. H. Baldwin is relieved from duty as navigation officer at Mare Island Navy Yard, and ordered to duty as ordnance officer at that station.

Commander S. R. Franklin is detached from ordnance duty at the Navy Yare at Mare Island, and ordered to command the Mohican. Lieu-tenant-Commander Hatfield is detached from the command of the Unadilla and placed on waiting orders. Fleet-Surgeen J. D. Miller is detached from the North Atlantic Squadron, and ordered to return home. Surgeon Charles Mar-tin is detached from the Ticonderoga, and ordered to duty as Fleet-Surgeon of the North Atlantic Squadron. Lieutenant Isaac Hazlett is detached from the Michigan on the 1st of June, and ordered to the Lancaster on the 15th of Lieutenant-Commander W. H. Dana is ordered to Washington, D. C., for examination for promotion. Lieutenant George W. De Long is ordered to the Lancaster on the 15th of June. Lieutenant O. F. Heyeman is ordered to the Michigan on the 1st of June.

A Presidential Excursion. To-day President Grant and family, accompa

nied by Marshal Sharp and family, General Bab-cock and family, Generals Badeau and Dent, Judge Dent, Secretary Borie, and a number of other invited guests, left the Navy Yard here on the United States steamer Tallapoosa for a trip to Mount Vernon, where they intend to spend Colored Man Appointed to Office.

BALTIMORE, April 29 .- Edington Fulton, the new Surveyor of the port, has appointed William H. Taylor, colored, a subordinate in his office, being the first appointment of a colored man by a Federal officer in Maryland. A committee of colored citizens waited on Mr. Fulton to-day, and congratulated him on his action.

#### Government Sales of Gold. Special Despatch to The Evening Telegraph.

NEW YORK, April 29 .- The first regular Government auction sale of gold took place here to-day. Only one million in coin was disposed of. Trevor & Colgate purchased \$500,000 at 34.02: Henry Clewes & Co., \$250,000 at 34.02; and also \$250,000 at 34.01. Fiske & Hatch bid 34 for a million, and Blake Bros, bid 34 for half a

Stock Quotations by Telegraph—I P. M.
Glendenning, Davis & Co. report through their New
York house the following:

N. Y. Cent. R. 172% Pacific Mail Steam. 93
N. Y. and Erie R. 31
West. Union Tel. 427%
Ph. and Rea. R. 9634 Toledo & Wabash. 73
Mich. S. and N. I. R. 10134 Mil. & St. Paul R. c. 7734
Cle. and Pitt. R. 933
Mil. & St. Paul R. c. 7734
Cle. and N. W. com 8634 Adams Express. 61
Chi. and N. W. pref. 9834 Wells, Fargo & Co. 3536
Chi. and R. I. R. 13634 Gold. 13445
Putts E. W. & Chi. R. 18734 Market irregular. Pitts. F. W. & Chi. R. 1873 Market irregular.

## FINANCE AND COMMERCE

Our local money market is now in a normal state of ease which leaves little room for comment until some disturbing element shall ruffle the present smooth current of monetary affairs. The floating capital on the market, notwithstand-

ing the large amounts recently invested in real estate, especially in the South, and thus permanently withdrawn from the loan market, is considerably in excess of all demands, and most of the banks and individual lenders have balances, towards closing hours, for which it is difficult to find temporary employment even at a nominal 3 per cent, rate. This is, of course, no gauge to the tone of the market, though there are marked in-dications of another decline in the rates of all classes of loans, unless some new revenue movement, or the Government sales of gold, or some other cause, should disturb its present condition. Call loans are easy at 5@6 per cent. on Governments and at 6@7 per cent. on miscellaneous securities. The rates of discount both at the banks and on the street are comparatively easy. as prime business paper is scarce and in demand 7@9 per cent.

Government bonds are very strong, but the market is dull. Gold is firm at an advance on esterday's closing price. Premium at 12 M. 134. There was less firmness in the Stock market and less activity. State loans were neglected.

City sixes were in good demand, with sales of the new certificates at 101%; 98 was bid for the old. The Lehigh gold loan was steady at 95. Reading Railroad was rather quiet, selling at

Reading Railroad was rather quiet, selling at 48½, 48½, but after the board it sold as high as 48.44; Pennsylvania Railroad was steady at 59½ 600; Lehigh Valley Railroad sold at 56½, and Camden and Amboy Railroad at 126½. 54½ was bid for Minehill Railroad; 35½ for Catawissa Railroad preferred; and 28½ for Philadelphia and Eric Railroad.

Canal shares were without improvement. Sales of Lehigh Navigation at 32%. 18% was bid for Schuylkill Navigation preferred.

Bank stocks were inactive.

Passenger Railway shares were firm but quiet.
Sales of Second and Third at 44. 46 was offered for Chesnut and Walnut; 26½ for Spruce and Pine; 32 for Germantown; and 13% for Hestonville.

PHILADELPHIA STOCK EXCHANGE SALES. Reported by De Haven & Bro., No. 40 S. Third Street.

SECOND BOARD. 

100 do...b5.48 3-16 100 sh Ocean Oil.s5. 56

Messrs. De Haven & Brother. No. 40 S. Third
street, Philadelphia, report the following quotations:

—U. S. 68 of 1881, 118½ @118½; do. 1862, 121½ @121¾;
do. 1864, 117½ @117½; do. 1865, 118½ @119½; do. 1865,
new, 116@116½; do. 1867, new, 116@116½; do.
1868, 115¾ @116; do. 58, 10-408, 107½ @107½; U. S.
30 Year 6 per cent. Cy., 105½ @106; Due Comp. Int.
Notes, 19½. Gold, 183½ @134½; Silver, 127@129.

NARR & LADNER, Bankers, report this morning's
Gold quotations as follows:

10-00 A. M. 133½ 11-00 A. M. 133½
10-36 133½ 11-30 134½
10-36 133½ 11-30 134½
10-36 133½ 11-30 134½
10-36 133½ 11-35 134

## LEGAL INTELLIGENCE.

#### NATURALIZATION.

The Question in the Supreme Court Again-Chief Justice Thompson Overrules Judge Read.

Nisi Prius Chlef Justice Thompson. This morning the Chief Justice delivered the folowing opinion on the naturalization question:-

lowing opinion on the naturalization question:

In re James Barron. Application by petition and proof of loss of a naturalization certificate granted at Nisi Prins on the 7th November, 1850, befor Molton C. Rogers, J., for duplicate.

In re Gottleib D. Jaiser. A like application on account of loss of certificate granted by Lewis, C. J., at Nisi Prins on September 27, 1856.

In re Antone Nees. For loss of certificate granted at Nisi Prius September 19, 1868, per Sharswood, J.

The foregoing applications were made at an adjourned session of this Court on Saturday, the 24th inst., by the respective counsel of the several applicants, to wit:

Hon, A. V. Parsons, James E. Gowen, Esq., and George W. Biddle, Esq., and W. L. Hirst, at which time also there was brought to the notice of the Court certain orders or entries made on the minutes of a session of this Court held on the second or third day of November last, 1865, by Hon, John M. Read, and which it was suggested stood in the way of granting the prayer of the several petitioners.

These entries appear as follows:—

by Hon. John M. Read, and which it was suggested stood in the way of granting the prayer of the several petitioners.

These entries appear as follows:—
"November 2, 1888—Read, J.—And now, November 2, 1868, it is ordered that no aliens shall be naturalized in this Court."
"November 3, 1868—Read, J.—It is ordered by the Court that no endorsement of any kind, or any certificate whatever, shall be made by the Prothonotary or any other person in his office, upon, or in relation to, the certificates of naturalization comprised in the opinion filed yesterday, to wit: from the 13th of September to the 13th of October, 1868."

These minutes or orders being read, the counsel for the petitioners insisted that they were of no allegatory force, and were not legal judgments either at law or equity, having been entered mare more, without process, parties, pleadings, or testimony; that while they affected the rights or many citizens it was by a proceeding extra judicial, and beyond the authority of the judge to make, and thereupon Mr. Parsons moved that they be set aside, annulled, or stricken off.

I have taken time to consider these orders, and this motion, and may in the outset say, if they possessed the force and character of legal judgments, I ought not to grant the prayer of the petitioners for duplicate naturalization certificates in the places of those shown to have been lost or destroyed, as has been the practice to do, for that would be equivalent to the grant of an original certificate which it seems to have been the object of the order of the 3d of November to prevent, at least in this Court. So if I should not feel bound by it, and order duplicates to issue to the petitioners, the order of the 3d of November remaining, would place the Prothonotary and his clerks in joopardy of a contempt of court if they placed the seal of the Court to them.

It is thus apparent that the practice of the Supreme

would place the Frothonotary and his clerks in joopardy of a contempt of court if they placed the seal of the Court to them.

It is thus apparent that the practice of the Supreme Court at Nisi Prius in the naturalization of aliens, and the issuing of certificates pursuant to the acts of Congress for many years, will be radically changed if these orders stand. I am obliged, therefore, to consider and determine the question of their obligatory force as competent judicial judgments or decrees, and their conclusiveness on the questions involved, and whether binding on me or any other judge. If I would do my duty, I can neither escape nor shrink from it.

When these orders were made the Supreme Court in bease was holding one of its regular terms pursuant to law in a distant portion of this State, namely, at Pittsburg, and gave no order nor assigned any of its members to hold a Court of Nisi Prius during the term at Philadelphia. Nor was it known to the Court or to any of its members, in my belief, save the Judge himself, that a session of the Court was intended or expected to be held at that time in Philadelphia, or during the term of the Court in buse at Pittsburg. This is only material as showing that these prohibitory orders to this branch of the Supreme Court were not the result of the authority of the Court in bane for any such purpose.

Pittaburg. This is only material as showing that these prohibitory orders to this branch of the Supreme Court were not the result of the authority of the Court in bane for any such purpose.

The character of the orders as the exercise of judicial anthority is more than questionable. In looking into the records they do not appear to have emanated as the result of judicial proceedings instituted at law or in equity. No parties were before the court of which the record takes notice. There was no process, no pleadings, no witnesses, nor counsel in a judicial sense. They must, therefore, be regarded as neither decrees in equity nor judgments at law; and if there be any proper designation for them, it is that of orders. But in this aspect it must stand confessed that there should be some judicial or legal warrant or occasion for orders, as well as judgments or decrees. If none such appear, the conclusion must follow inevitably that the action was extrajudicial and of no binding authority, and the occasion not judicial.

As already said, there was no case involving the jurisdiction of the Supreme Court at Nisi Prins that day before the Court, and had there been, the only proper judgments would have been dismissal of it in judicial form for want of jurisdiction if that conclusion was arrived at. It would have been simply a judgment against the party, and not against the Court, as the order of the 3d of November is.

But these orders were evidently a sort of judgment pronounced against the suthority of the Court, and also against the constitutional officer, the Prothonorary, without summoning or nortifying him. Such powers and rights were not to be determined in the absence of parties by a mere order, without inquiry or trial. The legal mode prescribed for this is by writ of 9000 secretaries, succlust at the instance of the Attorney-General in the name of the Commonwealth. In such proceeding judgment of ouster of jurisdiction, or in the case of the officer from the performance of his functions, as if the proceedings had

the set the scale of justice even and steady, became the law in that case has been solemny out that an intermined. "I Man A Ryl. 335. Mr. Justice Blackston, in his general to be followed, unless manifestly absurd or unjust, strick to known general rules than to follow any one, particular precedent founded on reasons unknown to us." Cases Term, Talbot, p. 28.

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with power to enter all such judgments, decrees, and orders as are proper in any Court of general jurisdiction. In this aspect, it was said by Rogers, J., in Dawson rs. Ryan, 4 W. 4 L., 403, "it is a distinct and independent Court, and not the less so because it is held by one of the Judgees of the Supreme Court, and to Cherwood vs. Kenn, 2 Experiment of the Court of New Prison and Prison The Commonwealth, 2 Grant, 28. Opinion by Road, J. The foregoing brief reference to the provisions and principles of the law in regard to the Court of Nis Prius must suffice. It is not susceptible of a doubt that it is a court of common law jurisdiction, with a seal and a clerk or prothonotary, and therefore, by the express provisions of the Congressional statute cited, has authority to naturalize allens. No judge has ever doubted it, and whenever the question has arisen, it has been promptly decided in the statute of the principles of the principles

attests, and upon all officials to whom it may properly come.

In conclusion, it is satisfactory to feel that I will, by what I shall do in this matter, in no manner interfere to embarraes, detract from, or add to the well-established jurisdiction of the important Court in question; I will only restore, or rather releve it from obstruction thrown in, as I believe, without the sanction of the law.

And now, April 29, 1829, the motion made and referred to in the outset of this opinion is granted, viz.:—That the orders set forth as above of the 2d of November, and of the 3d of November, 1868, be and they are hereby set aside, an nulled, and stricken off; and the prayers of the several petitioners above named are granted, and duplicate certificates of naturalization under the seal of the Court, attested by the Prothonotary, are ordered to be issued to each of them; the proof of naturalizations and less of certificate being adjudged sufficient in each case.

District Court, No. 1—Judge Hare.

Mirer vs. The Pennsylvania Railroad Company.
Before reported. Verdict for defendant.

Thomas C. Dilkes vs. Ephraim Tomlinson. An action to recover wages as a miller. The defense alleged payment. On Irial.

District Court, No. 2—Judge Stroud.

Alleged payment. On trial.

District Court, No. 2 Judge Stroud.

Pancoast vs. Henry. An action on a promisson note. Verdict for plaintiff, \$5550-20.

Joseph M. P. Price vs. Potter & Jones. An action on a promissory note. The defense denied the mainership. On trial.

Court of Common Pleas—Judge Peirce.

New vs. Brackman & Londerback. An action to recover for vinegar sold and delivered. The defense alleged that the vinegar was not a merchantable article. Verdict for defendants.

Burns & Smucker vs. J. M. Phillips. An action to recover for goods sold and delivered. The defendant denied that he purchased on his own account. On trial.